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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,701	06/03/2005	Maurice Hamoinon	6543/PCT	8698
6858	7590	07/12/2006	EXAMINER	
BREINER & BREINER, L.L.C. P.O. BOX 19290 ALEXANDRIA, VA 22320-0290			CHUNG TRANS, XUONG MY	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/534,701	Applicant(s) HAMOIGNON, MAURICE	
	Examiner Xuong M. Chung-Trans	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/17/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. This is responsive to the amendment filed April 17, 2006. Claim 4 has been amended. Therefore, claims 4-6 are pending in this application.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camps et al. (USPN 5,934,930) in view of Sheynis et al. (USPN 6,683,789).

As per claim 4, Camp discloses a cable connector comprising: a housing made up of at least two components (6, 7) including a first component (6) and a second component (7) which are movable to come into contact with each other about an axis of rotation for electrically conducting connection, when present therein, of a flat cable (1) having a plurality of bunched conductors with at least one round cable (4) composed of a plurality of bunched conductors, wherein the first component is adapted to receive conductors of the at least one round cable with insulation thereon removed to provide bared conductors laterally separated from each other in a connection section provided inside the first component, and the second component is adapted to receive the flat cable, wherein electrically conducting contacting elements (32, 33, 34) to which the conductors of the round cable connect and which include cutting tips for perforating insulation of the conductors and embedding in strands of the conductors of the flat

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cable. Camp does not explicitly disclose a closing lever coupled at a distance from the axis of rotation with the first component, the closing lever including a closing claw which is engagable with a stationary cam on the second component in such a way that the at least first component and second component move in a direction of closing to contact each other for reciprocal closing when the closing lever is actuated and to press the cutting tips into the conductors of the flat cable thereby connecting the flat cable and the round cable together upon actuation of the closing lever. However, the use of such lever is well-known in the art to facilitate connection operations of the first connector element with the second connector element, and also applying some force to lock the connector in a connected position. Sheynis disclose such a closing lever (26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the closing lever of Sheynis in the connector of Camp to facilitate connection operations of the first connector element with the second connector element, and also to lock the connector in a connected position and thereby applying pressure to press the first and second connector elements to each other and to press the cutting tips into the conductors of the cable to connect two cable together.

As per claim 5, Sheynis discloses that the closing lever (26) has a U-shaped configuration and extends across one of the at least two components which carries the lever, and sides of the closing lever are coupled to the one of the at least two components (6, 7) and each side includes a closing claw (24) which operates in conjunction with an associated one of the stationary cam 35.

As per claim 6, Camp discloses that the first component 6 comprises a cover component and an intermediate component (8) positioned below the cover component for receiving conductors of the round cable (4) which are not bared and which are to be connected, wherein the contacting elements (32, 33, 34) have cutting tips, which extend upward and downward for penetrating strands of the round cable (4) and the flat cable (1), are mounted and retained in the intermediate component 8 such that the cutting tips project from two surfaces of the intermediate component opposite the cover component such that when sandwich-like assembly of the cover component, the intermediate component, and the second component is provided by the closing lever moving the first component and the second component into contact with each other, electric connection is automatically established between the cover component, the intermediate component and the second component.

4. Applicant's arguments filed April 17, 2006 have been fully considered but they are not persuasive.

In response to applicant's argument that Sheynis does not disclose a closing lever for a cable connector is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Sheynis reference is address the similar problems as applicant, namely to facilitate connection

operations of the first connector element with the second connector element, and also applying some force to lock the connector in a connected position.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the use of such lever is well-known in the art to facilitate connection operations of the first connector element with the second connector element, and also applying some force to lock the connector in a connected position. Sheynis disclose such a closing lever (26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the closing lever of Sheynis in the connector of Camp to facilitate connection operations of the first connector element with the second connector element, and also to lock the connector in a connected position and thereby applying

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pressure to press the first and second connector elements to each other and to press the cutting tips into the conductors of the cable to connect two cable together.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuong M. Chung-Trans whose telephone number is (571) 272-2002. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 extension 33.. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



X. Chung-Trans



BRIGGITTE HAMMOND
PRIMARY EXAMINER